

REMARKS

Claims 1-30 and 44 remain pending in the application.

Applicant has submitted herewith a Retransmittal of Power of Attorney and Response to Office Communication Mailed April 6, 2009, indicating ten practitioners to prosecute this application.

Claims 1-42 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-32 of copending U.S. patent application no. 10/821,372.

While the Applicant respectfully traverses this rejection, Applicant has nevertheless submitted herewith a terminal disclaimer to overcome the rejection and expedite allowance of the present application.

Applicant submits that all claims are now in condition for allowance. An early notice to that effect is earnestly solicited.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5181-95101.

Respectfully submitted,



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